

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

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MICHAEL SEMIAN

Plaintiff,

v.

DEPARTMENT OF MILITARY AND  
VETERANS' AFFAIRS-GINO J.  
MERLI VETERANS' CENTER

Defendant.

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JURY TRIAL DEMANDED

NO: 3:17-CV-1183

HONORABLE  
ROBERT D. MARIANI

**PLAINTIFF'S MOTION FOR USE OF JUROR QUESTIONNAIRES BY  
COURT STAFF PRIOR TO JURY SELECTION**

***AND NOW COMES***, the Plaintiff, Michael Semian, by and through undersigned counsel, and hereby seeks permission from the Court to use Juror Questionnaires in order to explore juror bias and in support thereof submits the following:

1. The instant civil rights action was commenced on July 5, 2017 (Doc. 1).
2. Trial is scheduled to commence in this court on Monday, March 1, 2020.
3. The matter concerns the termination of the Plaintiff, Michael

Semian from his employment with the Commonwealth in October, 2015. Mr. Semian was employed as the Commandant at the Gino Merli Northeast Veterans' Center in Scranton, Pennsylvania.

4. Mr. Semian asserts that he was fired improperly and his sexual orientation as a gay male was a motivating factor in the Defendant's decision making process.

5. It is requested by the Plaintiff, Michael Semian, that jurors be provided the attached questionnaire at the time of their arrival at the Federal Courthouse by the Jury Director and that they fill out the questionnaire prior to coming to the courtroom for voir dire.

6. It is requested by Plaintiff that the questionnaires be utilized in addition to voir dire in the courtroom by Counsel.

7. Plaintiff submits that this method of questioning the jurors as to potential bias is the best process as jurors will be less likely to speak candidly in open court or in the presence of a federal judge as to any bias they may hold toward anyone who is lesbian, gay, or bisexual. The proposed questionnaire is attached hereto as Exhibit "A."

8. Defense counsel has been contacted to determine their concurrence in the within Motion and they do not concur as per the

Certificate of Non-Concurrence attached.

9. It was requested by defense counsel that if the Court is so inclined to allow the use of the Plaintiff's proposed questionnaire that the Defendant be permitted to submit an alternative questionnaire.

10. To grant the requested relief will not work any prejudice upon the Defendant.

**WHEREFORE**, it is respectfully requested that this Court issue the attached Order granting the Plaintiff Michael Semian request for use of a juror questionnaire by Court personnel with prospective jurors on March 1, 2020 prior to Voir Dire in this matter.

Dated: February 17, 2020

LAW OFFICE OF HARRY T. COLEMAN

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